

THURSDAY, APRIL 11, 1991

THIRTY-FOURTH LEGISLATIVE DAY

The House met at 9:00 a.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by George Klee, Emmanuel Episcopal Church, Ripley, Tennessee.

Representative Floyd Crain led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present 95

Representatives present were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Buck, Byrd, Callicott, Chiles, Chumney, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullis, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 95.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under Rule No. 20:

Representative Clark, on Wednesday and Thursday; due to out-of-state business.

PRESENT IN CHAMBER

Representative(s) Bragg, Love and Robinson (Davidson) was/were recorded as being present in the Chamber.

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**REPORT OF COMMITTEE ON CALENDAR AND RULES
April 11, 1991**

MR. SPEAKER: Your Calendar and Rules Committee reports that we have met and set the following bills on the **Regular Calendar for Monday, April 15, 1991:** House Bill(s) No(s). 946, 546, 1028, 1025, 1367, 579, 1296, 1190, 1395, 1064, 1071, 855, 1072, 1069, 1487, 1166 and 776.

We have also set the following bills on the **Regular Calendar for Wednesday, April 17, 1991:** House Bill(s) No(s). 1427, 1423, 1424 and 1425.

CONSENT CALENDAR

House Resolution No. 0046 -- Memorials, Congratulations -- Clinton Elementary School Primary Division Chess Champions.

House Resolution No. 0047 -- Memorials, Congratulations -- Clinton Elementary School Elementary Division State Chess Champions.

House Resolution No. 0048 -- Memorials, Death -- Dale Hutcherson.

House Resolution No. 0049 -- Memorials, Public Service -- Kelley Miller Smith, Jr.

House Joint Resolution No. 0229 -- Memorials, Sports -- LaFollette Middle School Owls boys' basketball team.

House Joint Resolution No. 0230 -- Memorials, Public Service -- Gordon W. Sanders, Tennessee school system.

House Joint Resolution No. 0232 -- Memorials, Professional and Business Achievement -- Cameron Judd.

House Joint Resolution No. 0233 -- Memorials, Sports -- Waverly Central High School girls' basketball team.

House Joint Resolution No. 0235 -- Naming and Designating -- Putnam County Boys and Girls Club Week, April 21-27, 1991.

House Bill No. 1560 -- Franklin -- Revises charter. Amends Chapter 79, Acts of 1903, as amended.

House Bill No. 1561 -- Carroll County -- Authorizes West Carroll Special School District to issue bonds to retire existing obligations. Amends Chapter 209, Private Acts of 1984, as amended.

House Bill No. 1562 -- Rossville -- Creates new charter. Amends Chapter 520, Acts of 1903, as amended.

House Bill No. 1572 -- Madisonville -- Changes dates of regular meetings of board of mayor and aldermen. Amends Chapter 663, Private

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Acts of 1911, as amended.

Senate Joint Resolution No. 0167 -- Memorials, Death -- Jack Comer.

Senate Joint Resolution No. 0169 -- Memorials, Professional and Business Achievement -- Dr. V. Lane Rawlins.

Pursuant to **Rule No. 50**, Rep. Phillips moved that all House Bills having companion Senate Bills on the Clerk's desk be conformed and substituted for the appropriate House Bill, that all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes.	94
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Peroulas, Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

MR. SPEAKER: Pursuant to **Rule No. 31**, I wish to express a desire to change my original stand from not voting to aye on Consent Calendar and have this statement entered in the Journal.

Rep. Robinson (Davidson)

REQUEST TO CHANGE VOTE

MR. SPEAKER: Pursuant to **Rule No. 31**, I wish to express a desire to change my original stand from not voting to aye on Consent Calendar and have this statement entered in the Journal.

Rep. Halteman

REGULAR CALENDAR

***House Bill No. 0575 -- Election Laws -- Prohibits certain at large elections from multi-member districts, wards or zones. Amends TCA, Title 2.**

Further consideration of House Bill No. 575, previously considered on March 27 and April 8, 1991, at which time the House adopted Amendments Nos. 1, 2, and 3, then reset the bill to the Calendar for April 8, 1991.

Rep. R. Jones moved that House Bill No. 575 be passed on third and final consideration.

Rep. Haley moved to amend as follows:

Amendment No. 4

Amend House Bill No. 575 by adding the following new language to the amendatory language in the section added by House Amendment No. 1 (Data Entry No. 07059):

The provisions of this act are local in effect and shall be effective in a county or municipality in such county upon the contingency of a two-thirds (2/3) vote of the legislative body of a county or municipality, respectively.

Rep. R. Jones moved that Amendment No. 4 be tabled, which motion failed by the following vote:

Ayes.	26
Noes.	51
Present and not voting.	14

Representatives voting aye were: Armstrong, Bell, Bivens, Chumney, Davidson, Dixon, Head, Herron, Holt, Johnson, Jones U (Shelby), Kernell, Kisber, Love, Phillips, Pruitt, Purcell, Ridgeway, Rigsby, Rinks, Robinson (Hamilton), Shirley, Tindell, Turner (Hamilton), Turner (Shelby), Mr. Speaker Naifeh -- 26.

Representatives voting no were: Allen, Arriola, Bittle, Buck, Byrd, Callicott, Chiles, Coffey, Cole, Collier, Copeland, Cross, Davis (Cocke), Davis (Knox), Duer, Ferguson, Haley, Harrill, Hassell, Hillis, Holcomb, Hubbard, Huskey, Joyce, Kent, King, Knight, Liles, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Peroulas Draper, Pinion, Rhinehart, Robinson (Davidson), Robinson (Washington), Sipes, Stamps, Tullos, Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Wood -- 51.

Representatives present and not voting were: Anderson, Crain, Curlee, Davis (Gibson), Fowlkes, Givens, Halteman, Hargrove, Haun, Hill, Jackson, Severance, Windle, Winningham -- 14.

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Rep. DeBerry moved that House Bill No. 575, as amended, be reset to the Calendar for Wednesday, April 17, 1991, which motion prevailed.

CHAIR TO DEBERRY

Mr. Speaker Naifeh relinquished the Chair to Rep. DeBerry, Speaker Pro Tempore.

REGULAR CALENDAR, CONTINUED

House Bill No. 1239 -- Criminal Procedure -- Requires district attorney general to agree to civil sanctions in lieu of criminal for certain theft offenses. Amends TCA 39-14-144, 145.

Rep. Hargrove moved that House Bill No. 1239 be passed on third and final consideration.

Rep. Buck moved adoption of Judiciary Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1239 by adding the following as new sections to be appropriately designated:

Section _____. Tennessee Code Annotated, Section 39-14-144 is amended by deleting subdivision (a)(1)(A), (B) and (C) in their entirety and by substituting instead the following:

(A) The greater of one hundred dollars (\$100) or an amount three (3) times the listed retail price of the merchandise taken if the merchant does not recover the merchandise;

(B) The greater of one hundred dollars (\$100) or an amount three (3) times the difference between the value of the damaged merchandise and the value of the merchandise prior to its conversion if the merchant recovers the merchandise but it is in a damaged state; or

(C) The greater of one hundred dollars (\$100) or an amount twice the listed retail price of the merchandise if the merchant recovers the merchandise in the same condition it was in prior to the conversion.

Section _____. Tennessee Code Annotated, Section 39-14-144 is amended by deleting subdivisions (a)(2)(A), (B), and (C) in their entirety and by substituting instead the following:

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(A) The greater of one hundred dollars (\$100) or an amount three (3) times the listed retail price of the merchandise taken if the merchant does not recover the merchandise;

(B) The greater of one hundred dollars (\$100) or an amount three (3) times the difference between the value of the damaged merchandise and the value of the merchandise prior to its conversion if the merchant recovers the merchandise but it is in a damaged state; or

(C) The greater of one hundred dollars (\$100) or an amount twice the listed retail price of the merchandise if the merchant recovers the merchandise in the same condition it was in prior to the conversion.

Section _____. Tennessee Code Annotated, Section 39-14-145 is amended by deleting subdivision (a)(1), (2), and (3) in their entirety and by substituting instead the following:

(1) The greater of one hundred dollars (\$100) or an amount three (3) times the listed retail price of the merchandise taken if the merchant does not recover the merchandise;

(2) The greater of one hundred dollars (\$100) or an amount three (3) times the difference between the value of the damaged merchandise and the value of the merchandise prior to its conversion if the merchant recovers the merchandise but it is in a damaged state; or

(3) The greater of one hundred dollars (\$100) or an amount twice the listed retail price of the merchandise if the merchant recovers the merchandise in the same condition it was in prior to the conversion.

AND FURTHER AMEND by deleting the amendatory language of Section 1 and substituting instead the following:

If the appropriate district attorney general consents to use of this section as provided in subsection () of this section, in

AND FURTHER AMEND by deleting the amendatory language of Section 3 and substituting instead the following:

If the appropriate district attorney general consents to use of this section as provided in subsection () of this section, in

AND FURTHER AMEND by deleting Sections 2 and 4 in their entirety.

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AND FURTHER AMEND by adding the following new sections immediately preceding the last section and by renumbering the last section accordingly:

Section _____. Tennessee Code Annotated, Section 39-14-144, is amended by adding the following new subsection to be appropriately designated:

() Any demand in writing or other document sent to the adult, parent or guardian of a minor covered by this section shall also be sent to the district attorney general of the judicial district in which the offense occurred. If the appropriate district attorney general has not, within ten (10) days from the date the document was sent, objected to the use of this section in lieu of criminal prosecution, such district attorney shall be deemed to have consented to the use of this section by the mercantile establishment. If the mercantile establishment does not send a written demand or other document to such adult, parent or guardian, the district attorney must be notified and must consent, either orally or in writing, to the use of this section in lieu of criminal prosecution.

Section _____. Tennessee Code Annotated, Section 39-14-145, is amended by adding the following new subsection to be appropriately designated:

() Any demand in writing or other document sent to an employee covered by this section shall also be sent to the district attorney general of the judicial district in which the offense occurred. If the appropriate district attorney general has not, within ten (10) days from the date the document was sent, objected to the use of this section in lieu of criminal prosecution, such district attorney shall be deemed to have consented to the use of this section by the mercantile establishment. If the mercantile establishment does not send a written demand or other document to such employee, the district attorney must be notified and must consent, either orally or in writing, to the use of this section in lieu of criminal prosecution.

On motion, Amendment No. 1 was adopted.

Rep. Williams (Shelby) moved to amend as follows:

Amendment No. 2

Amend House Bill 1239 by adding the following language as a new section immediately preceding the effective date section and by renumbering subsequent sections accordingly:

Section ____.

(a) Tennessee Code Annotated, Section 39-14-144, is amended by adding the following language as a new, appropriately designated subsection:

() Whenever a retail merchant, the merchant's agent, or the merchant's employee apprehends an adult or minor who has committed theft as described in subsection (a), such merchant, agent, or employee shall not at such time discuss a civil action under this section as an available alternative to the pursuit of criminal penalties.

(b) Tennessee Code Annotated, Section 39-14-145, is amended by adding the following language as a new, appropriately designated subsection:

() Whenever a retail merchant, the merchant's agent, or the merchant's employee apprehends an employee who has committed theft as described in subsection (a), such merchant, agent, or employee shall not at such time discuss a civil action under this section as an available alternative to the pursuit of criminal penalties.

On motion, Amendment No. 2 was adopted.

Thereupon, Rep. Hargrove moved that **House Bill No. 1239**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	94
Noes.	2

Representatives voting aye were: Allen, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 94.

Representatives voting no were: DeBerry, Pruitt -- 2.

A motion to reconsider was tabled.

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House Bill No. 0736 -- Election Laws -- Removes right of certain elderly or handicapped persons to vote at election commission office on election day; expands absentee voting for such persons. Amends TCA, Title 2, Chs. 3, 6.

On motion, House Bill No. 736 was made to conform with Senate Bill No. 190.

On motion, **Senate Bill No. 190**, on same subject, was substituted for House Bill No. 736.

Rep. Chiles moved that **Senate Bill No. 190** be passed on third and final consideration.

On motion, Rep. Love withdrew State and Local Government Committee Amendment No. 1.

Rep. Chiles moved that Senate Bill No. 190 be reset to the Calendar for Monday, April 15, 1991, which motion prevailed.

***House Bill No. 0531** -- Animals -- Exempts certain farming practices from cruelty to animals provisions. Amends TCA 39-14-202.

Rep. Robinson (Washington) moved that House Bill No. 531 be passed on third and final consideration.

Rep. Buck moved adoption of Judiciary Committee Amendment No. 1 as follows:

Amendment No. 1

Amend House Bill No. 531 by deleting SECTION 1 in its entirety and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 39-14-202, is amended by adding the following new subsection to be designated as (e) and by relettering present subsection (e) accordingly:

(e)(1) Nothing in this section shall be construed as prohibiting the owner of a farm animal or someone acting with the consent of the owner of such animal from engaging in usual and customary practices which are accepted by colleges of agriculture or veterinary medicine with respect to such animal.

(2) It is an offense for a person other than an officer, agent or member of a society described in Tennessee Code Annotated, Section 39-14-210, to knowingly interfere with the performance of any such agricultural practices permitted by subpart (1) of this subsection.

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(3) An offense under subpart (2) of this subsection is a Class B misdemeanor.

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Robinson (Washington) moved that **House Bill No. 531**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	94
Noes.	1

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas, Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 94.

Representatives voting no were: Hassell -- 1.

A motion to reconsider was tabled.

House Bill No. 0959 -- Alcoholic Beverages -- Authorizes "microbreweries" in Davidson and Shelby counties; allows certain manufacturers to operate restaurant and sell directly to retailers. Amends TCA 55-5-101.

On motion, House Bill No. 959 was made to conform with Senate Bill No. 130.

On motion, **Senate Bill No. 130**, on same subject, was substituted for House Bill No. 959.

Rep. Williams (Shelby) moved that **Senate Bill No. 130** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	62
Noes.	27
Present and not voting.	7

Representatives voting aye were: Allen, Armstrong, Arriola, Bivens, Bragg, Buck, Chiles, Chumney, Coffey, Cole, Collier,

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Copeland, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Fowlkes, Garrett, Gunnels, Haley, Halteman, Hill, Hillis, Holt, Hubbard, Huskey, Jackson, Jones R (Shelby), Jones U (Shelby), Kent, Kernell, King, Kisber, Knight, Liles, Love, McKee, Napier, Niceley, Odom, Peroulas Draper, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Stamps, Tindell, Turner (Hamilton), Turner (Shelby), Venable, West, Whitson, Williams (Shelby), Wix, Mr. Speaker Naifeh -- 62.

Representatives voting no were: Anderson, Bell, Byrd, Callicott, Crain, Cross, Curlee, Davidson, Ferguson, Harrill, Hassell, Head, Herron, Holcomb, Joyce, McAfee, McDaniel, Meyer, Moore, Nuber, Pinion, Sipes, Tullos, Walley, Windle, Winningham, Wood -- 27.

Representatives present and not voting were: Givens, Hargrove, Haun, Johnson, Rigsby, Rinks, Williams (Union) -- 7.

A motion to reconsider was tabled.

***House Bill No. 1207 -- Adoption -- Provides for parental leave for adoptive parents. Amends TCA, Title 36, Ch. 1, Pt. 1.**

Rep. Williams (Shelby) moved that House Bill No. 1207 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	68
Noes.	25
Present and not voting.	3

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bivens, Bragg, Buck, Byrd, Chumney, Cole, Collier, Crain, Cross, Curlee, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Fowlkes, Garrett, Gunnels, Haley, Halteman, Haun, Herron, Hill, Hillis, Holt, Hubbard, Huskey, Jackson, Jones R (Shelby), Jones U (Shelby), Kent, Kernell, King, Kisber, Knight, Love, McDaniel, McKee, Meyer, Napier, Niceley, Odom, Peroulas Draper, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Tindell, Turner (Hamilton), Turner (Shelby), Walley, West, Whitson, Williams (Shelby), Winningham, Wix, Mr. Speaker Naifeh -- 68.

Representatives voting no were: Callicott, Chiles, Coffey, Copeland, Davidson, Duer, Ferguson, Givens, Harrill, Hassell, Holcomb, Johnson, Joyce, Liles, McAfee, Nuber, Rigsby, Rinks, Sipes, Stamps, Tullos, Venable, Williams (Union), Windle, Wood -- 25.

Representatives present and not voting were: Head, Moore, Pinion -- 3.

A motion to reconsider was tabled.

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CHAIR TO SPEAKER

Mr. Speaker Naifeh resumed the Chair.

REGULAR CALENDAR, CONTINUED

House Bill No. 1214 -- Taxes, Real Property -- Clarifies redemption rights of persons with interest in property sold for nonpayment of taxes. Amends TCA, Title 66, Ch. 8; Title 67, Ch. 5.

Rep. Williams (Shelby) moved that House Bill No. 1214 be reset to the Calendar for Thursday, April 18, 1991, which motion prevailed.

House Bill No. 0851 -- District Attorneys -- Provides for additional assistant district attorneys and criminal investigators in 1st judicial district. Amends TCA 16-2-506.

Rep. Cole moved that House Bill No. 851 be passed on third and final consideration.

Rep. Buck moved adoption of Judiciary Committee Amendment No. 1 as follows:

Amendment No. 1

Amend House Bill No. 851 by deleting from the amendatory language of Section 1 the word "twenty-fifth" and substituting instead the word "first".

On motion, Amendment No. 1 was adopted.

Rep. Buck moved adoption of Judiciary Committee Amendment No. 2 as follows:

Amendment No. 2

Amend House Bill No. 851 by adding the following as a new section immediately preceding the effective date section and by renumbering the effective date section accordingly:

Section _____. The provisions of this act shall not be construed to be an appropriation of funds and no funds shall be obligated or expended pursuant to this act unless such funds are specifically appropriated by the general appropriations act.

On motion, Amendment No. 2 was adopted.

Thereupon, Rep. Cole moved that **House Bill No. 851**, as amended, be passed on third and final consideration, which motion prevailed

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by the following vote:

Ayes.	94
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Coffey, Cole, Collier, Crain, Cross, Curlee, Davidson, Davis (Gibson), Davis (Knox), DeBerry, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

House Bill No. 0553 -- Coroners -- Clarifies authority of county medical examiner to permit removal of corneal tissue in certain circumstances. Amends TCA 38-7-106, 68-30-204.

On motion, House Bill No. 553 was made to conform with Senate Bill No. 143.

On motion, **Senate Bill No. 143**, on same subject, was substituted for House Bill No. 553.

Rep. Bivens moved that Senate Bill No. 143 be reset to the Calendar for Wednesday, April 17, 1991, which motion prevailed.

House Bill No. 0420 -- Insurance, Health, Accident -- Authorizes group insurance for employees of educational cooperatives. Amends TCA, Title 8, Ch. 27, Pt. 3.

Rep. Gunnels moved that House Bill No. 420 be passed on third and final consideration.

Rep. Love moved adoption of State and Local Government Committee Amendment No. 1, also recommended by the Council on Pensions and Insurance, as follows:

Amendment No. 1

Amend House Bill No. 420 by deleting Section 1 in its entirety and renumbering the subsequent sections accordingly; and by adding the following language to the new Section 1 immediately after the number 13, " An educational cooperative

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must exist under the provisions of Tennessee Code Annotated, Title 49, Chapter 2, Part 13 for five years before it is eligible to have its employees participate in the health insurance plan authorized in this section."

On motion, Amendment No. 1 was adopted.

Rep. Purcell moved that Amendment No. 2 be withdrawn, which motion prevailed.

Thereupon, Rep. Gunnels moved that **House Bill No. 420**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	91
Noes.	0
Present and not voting.	5

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Chiles, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 91.

Representatives present and not voting were: Callicott, Chumney, Fowlkes, Head, Nuber -- 5.

A motion to reconsider was tabled.

***House Bill No. 1473** -- District Attorneys -- Adds additional district attorney general position to 31st judicial district. Same as *SB 956/HB 646. Amends TCA 16-2-506.

Rep. Hillis moved that House Bill No. 1473 be passed on third and final consideration.

Rep. Buck moved adoption of Judiciary Committee Amendment No. 1 as follows:

Amendment No. 1

Amend House Bill No. 1473 by adding the following as a new section immediately preceding the effective date section and by

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renumbering the effective date section accordingly:

Section _____. The provisions of this act shall not be construed to be an appropriation of funds and no funds shall be obligated or expended pursuant to this act unless such funds are specifically appropriated by the general appropriations act.

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Hillis moved that **House Bill No. 1473**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	96
Noes.	0
Present and not voting.	2

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Byrd, Callicott, Chiles, Chumney, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 95.

Representatives present and not voting were: Buck, Gunnels -- 2.

A motion to reconsider was tabled.

MESSAGE CALENDAR

HOUSE ACTION ON SENATE AMENDMENTS

MOTION TO RECONSIDER

Rep. Crain moved to lift from the table the motion to reconsider Senate Bill No. 1026, which motion prevailed.

Senate Bill No. 1026 -- County Officers -- Retains Lauderdale County within fourth class for county officials; places Rhea and Hardeman counties in such classification using 1990 unadjusted census figures which are subject to change. Amends TCA, Titles 8, 16.

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Rep. Crain moved to reconsider action in passing Senate Bill No. 1026, which motion prevailed.

On motion, the House reconsidered its action in adopting Amendments Nos. 3 and 5. On motion, Amendments Nos. 3 and 5 were withdrawn.

Rep. Wix moved to amend as follows:

Amendment No. 6

Amend House No. 1026 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION _____. Tennessee Code Annotated, Section 8-24-101, is amended by deleting from subsection (a)(6) and (a)(7) the words and figures "six thousand (6,000)" and substituting instead the words and figures "five thousand five hundred (5,500)".

On motion, Amendment No. 6 was adopted.

Thereupon, Rep. Crain moved that **Senate Bill No. 1026**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	91
Noes.	4
Present and not voting.	2

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Chiles, Chumney, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnets, Haley, Halteman, Hargrove, Hassell, Haun, Herron, Hill, Hillis, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Odom, Peroulas, Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 91.

Representatives voting no were: Callicott, Davidson, Head, Stamps -- 4.

Representatives present and not voting were: Harrill, Holcomb -- 2.

A motion to reconsider was tabled.

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UNFINISHED BUSINESS

REQUEST TO CHANGE VOTE

MR. SPEAKER: Pursuant to **Rule No. 31**, I wish to express a desire to change my original stand from no to aye on the motion to transfer from the Transportation Committee to the Finance, Ways and Means Committee House Bill No. 1391 [vote taken on 4/10/91] and have this statement entered in the Journal.

Rep. Ray Hill

RULES SUSPENDED

Rep. McDaniel moved that the rules be suspended for the immediate consideration of Senate Joint Resolution No. 186 out of order, which motion prevailed.

Senate Joint Resolution No. 0186 -- Memorials, Public Service -- Dr. Jaime Virita Mangubat, Waynesboro. by *Wilder.

On motion, the rules were suspended for the immediate concurrence in the resolution.

On motion of Rep. McDaniel, the resolution was concurred in.

A motion to reconsider was tabled.

BILL RETURN REQUESTED

Pursuant to **Rule No. 54**, Rep. Ridgeway moved that the Clerk request the return of House Joint Resolution No. 225 from the Senate, which motion prevailed.

SPONSORS ADDED

Without objection, the rules were suspended to allow the following members to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 63: Rep(s). Bell and Winningham as prime sponsor(s).

House Bill No. 531: Rep(s). Walley as prime sponsor(s).

House Bill No. 546: Rep(s). Bell, Bragg, Callicott and Liles as prime sponsor(s).

House Bill No. 936: Rep(s). Holt as prime sponsor(s).

House Bill No. 1058: Rep(s). Pinion as prime sponsor(s).

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House Bill No. 1163: Rep(s). Pruitt as prime sponsor(s).

House Bill No. 1252: Rep(s). Odom as prime sponsor(s).

House Bill No. 1292: Rep(s). Sipes as prime sponsor(s).

House Bill No. 1376: Rep(s). Odom as prime sponsor(s).

House Bill No. 1388: Rep(s). Winningham as prime sponsor(s).

House Joint Resolution No. 229: Rep(s). Williams (Union) as prime sponsor(s).

INTRODUCTION OF RESOLUTIONS

On motion, the resolution(s) listed was/were introduced and referred as noted:

House Resolution No. 0051 -- Memorials, Sports -- Coach Larry Smalley, Middleton High School boys' basketball team. by *Walley.

Referred by the Speaker to the Calendar and Rules Committee.

House Resolution No. 0052 -- Memorials, Public Service -- Edgehill Youth Work Program. by *Pruitt.

Referred by the Speaker to the Calendar and Rules Committee.

House Resolution No. 0053 -- Memorials, Interns -- Megan McTiernan. by *Halteman.

Referred by the Speaker to the Calendar and Rules Committee.

***House Joint Resolution No. 0234 --** Memorials, Government Officials -- Directs Department of Transportation to conduct cost survey for completion of U.S. 321 from Lenoir City to Blount County line as four-lane highway. by *Gunnels, *Anderson, *Harrill, *Huskey.

Referred by the Speaker to the Transportation Committee.

***House Joint Resolution No. 0236 --** General Assembly, Studies -- Creates joint study committee to evaluate planning measures employed for state funded food service facilities. by *McDaniel, *Chiles.

Referred by the Speaker to the Calendar and Rules Committee.

***House Joint Resolution No. 0237 --** General Assembly, Studies -- Creates joint study committee relative to jury selection and service. by *Chumney, *Williams K, *Nuber, *Tullos.

Referred by the Speaker to the Calendar and Rules Committee.

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House Joint Resolution No. 0241 -- Memorials, Sports -- Coach Tommy Jewell, Meigs High School girls' basketball team. by *McKee.

Referred by the Speaker to the Calendar and Rules Committee.

House Joint Resolution No. 0244 -- Memorials, Interns -- Dara Beazley. by *Stamps.

Referred by the Speaker to the Calendar and Rules Committee.

House Joint Resolution No. 0250 -- Memorials, Retirement -- Joyce Presley. by *Bell.

Referred by the Speaker to the Calendar and Rules Committee.

House Joint Resolution No. 0251 -- Memorials, Professional and Business Achievement --- Johnnie Myers. by *Gunnels.

Referred by the Speaker to the Calendar and Rules Committee.

MOTION

Rep. Hubbard moved passage on second reading of House Joint Resolution No. 14. Having been read by the Clerk as proscribed, the motion prevailed by the following vote:

Ayes.	74
Noes.	20
Present and not voting.	1

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Buck, Callicott, Chiles, Chumney, Coffey, Cole, Collier, Copeland, Cross, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Givens, Gunnels, Halteman, Hargrove, Haun, Head, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Johnson, Jones R (Shelby), Jones U (Shelby), Kent, Kernell, King, Love, McDaniel, McKee, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Rigsby, Rinks, Robinson (Davidson), Robinson (Washington), Severance, Shirley, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, West, Whitson, Williams (Shelby), Williams (Union), Winningham, Wix, Mr. Speaker Naifeh -- 74.

Representatives voting no were: Bragg, Byrd, Crain, Curlee, Garrett, Harrill, Hassell, Herron, Joyce, Knight, Liles, McAfee, Meyer, Purcell, Rhinehart, Ridgeway, Robinson (Hamilton), Sipes, Walley, Wood -- 20.

Representatives present and not voting were: Windle -- 1.

A motion to reconsider was tabled.

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INTRODUCTION OF BILLS

On motion, the following bills were introduced and passed first consideration:

House Bill No. 1578 -- Tipton County -- Establishes general sessions court administered probation and safety program. by *Naifeh.

Passed first consideration.

House Bill No. 1579 -- Benton County -- Authorizes increase in severance tax. Amends Chapter 89, Private Acts of 1979. by *Collier.

Passed first consideration.

**REPORT OF DELAYED BILLS COMMITTEE
April 11, 1991**

Pursuant to Rule No. 78, we the undersigned members of the Delayed Bills Committee have approved the following bill(s) to be introduced: House Bill(s) No(s). 1563 and 1567.

Jimmy Naifeh, Speaker
Bill Purcell
John Chiles

SENATE BILLS TRANSMITTED

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk as noted:

***Senate Bill No. 0224** -- Children -- Enacts "Family Preservation Act of 1991". Amends TCA, Title 37. (HB 1106).

Held pending third consideration of companion House Bill.

***Senate Bill No. 0313** -- Ethics -- Prohibits acceptance of honoraria by public officials and employees. Amends TCA, Title 2, Ch. 10; Title 3, Ch. 6. (HB 1000).

Held pending third consideration of companion House Bill.

HOUSE BILLS ON SECOND CONSIDERATION

On motion, bills listed below passed second consideration and were referred to committee or held on the Clerk's desk as noted:

House Bill No. 1574 -- South Fulton -- Passed second consideration and held on Clerk's desk pending approval by local delegation.

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House Bill No. 1575 -- Obion County -- Passed second consideration and held on Clerk's desk pending approval by local delegation.

House Bill No. 1576 -- Gatlinburg -- Passed second consideration and held on Clerk's desk pending approval by local delegation.

House Bill No. 1577 -- Pulaski -- Passed second consideration and held on Clerk's desk pending approval by local delegation.

LOCAL BILLS TRANSMITTED TO CALENDAR AND RULES

April 11, 1991

In accordance with **Rule No. 48**, the following local bill(s), having received authorization for passage by the local legislative delegation, was/were transmitted to the Calendar and Rules Committee: House Bill(s) No(s). 1549.

PHILLIPS, Chair.

REPORT OF COMMITTEE ON CALENDAR AND RULES

CONSENT CALENDAR

April 11, 1991

MR. SPEAKER: The officers of your Calendar and Rules Committee report that we have set the following bill(s) and/or resolution(s) on the **Consent Calendar for Monday, April 15, 1991**: House Resolution(s) No(s). 51, 52 and 53; House Joint Resolution(s) No(s). 241, 244, 250 and 251; also, House Bill(s) No(s). 1549.

PHILLIPS, Chair.

REPORT OF CHIEF ENGROSSING CLERK

April 11, 1991

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bill(s) No(s). 6, 838, 1256, 1394, 1539 and 1547; also, House Joint Resolution(s) No(s). 148, 180, 181, 182, 183, 184 and 227; for his action.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

SIGNED

April 11, 1991

The Speaker announced that he had signed the following: House

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Bill(s) No(s). 1276; also, House Resolution(s) No(s). 41, 42, 43, 44, 45 and 50.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

April 11, 1991

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 103, 618, 1328, 1545, 1546, 1551, 1553, 1556, 1566 and 1569; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

April 11, 1991

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 49, 187, 188, 189, 192, 193 and 198; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

April 11, 1991

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 988; substituted for Senate Bill(s) on same subject(s), amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

ENROLLED BILLS

April 11, 1991

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Joint Resolution(s) No(s). 195; and find same correctly enrolled and ready for the signatures of the Speakers.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

THURSDAY, APRIL 11, 1991 -- THIRTY-FOURTH LEGISLATIVE DAY

SIGNED
April 11, 1991

The Speaker announced that he had signed the following: House Joint Resolution(s) No(s). 195.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

ENGROSSED BILLS
April 11, 1991

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bill(s) No(s). 531; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

MESSAGE FROM THE SENATE
April 11, 1991

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 195; signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE
April 11, 1991

MR. SPEAKER: I am directed to return to the House, Senate Bill No. 239.

The Senate nonconcurred in House Amendment(s) No(s). 2.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE
April 11, 1991

MR. SPEAKER: I am directed to return to the House, Senate Bill No. 278.

The Senate refused to recede from its action in nonconcurring in House Amendment(s) No(s). 1.

The Speaker appointed a Conference Committee composed of Senators Crowe, Chairman; Rochelle and McNally to confer with a like

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Committee from the House to resolve the differences of the two bodies on Senate Bill No. 278.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE
April 11, 1991

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1279; substituted for Senate Bill(s) on same subject(s), amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

REPORT OF CHIEF ENGROSSING CLERK
April 11, 1991

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Joint Resolution(s) No(s). 195; for his action.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

MESSAGE FROM THE GOVERNOR
April 10, 1991

MR. SPEAKER: I am directed by the Governor to return herewith: House Bill(s) No(s). 268, 299, 327, 328, 369, 487, 549, 576, 738, 1218 and 1267; also, House Joint Resolution(s) No(s). 38, 158, 161, 162, 164, 179 and 191; with his approval.

DAVID H. WELLES,
Counsel to the Governor.

MESSAGE FROM THE SENATE
April 11, 1991

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 106 and 1117; also, Senate Joint Resolution(s) No(s). 157 and 182; for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

THURSDAY, APRIL 11, 1991 -- THIRTY-FOURTH LEGISLATIVE DAY

**SIGNED
April 11, 1991**

The Speaker announced that he had signed the following: Senate Bill(s) No(s). 106 and 1117; also, Senate Joint Resolution(s) No(s). 157 and 182.

**ENGROSSED BILLS
April 11, 1991**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bill(s) No(s). 420, 851, 1207, 1239, 1473, 1560, 1561, 1562 and 1572; also, House Joint Resolution(s) No(s). 229, 230, 232, 233 and 235; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE
April 11, 1991**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1276; signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

**MESSAGE FROM THE SENATE
April 11, 1991**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 479, 531, 658, 1205 and 1375; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

**MESSAGE FROM SENATE
April 11, 1991**

MR. SPEAKER: I am directed to return to the House: House Joint Resolution No. 225, as requested.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

THURSDAY, APRIL 11, 1991 -- THIRTY-FOURTH LEGISLATIVE DAY

MESSAGE FROM THE SENATE
April 11, 1991

MR. SPEAKER: I am directed to return to the House, House Joint Resolution No. 86; amended, and concurred in by the Senate .

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE
April 11, 1991

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 170, 171 and 172; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

Senate Joint Resolution No. 0170 -- Memorials, Death -- Hammond Fowler, Jr. by *O'Brien, Kyle.

Senate Joint Resolution No. 0171 -- Memorials, Sports -- Cumberland High School boys' basketball team. by *O'Brien.

Senate Joint Resolution No. 0172 -- Memorials, Sports -- Cumberland High School girls' basketball team. by *O'Brien.

MESSAGE FROM THE SENATE
April 11, 1991

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 460, 461, 724, 860, 1011, 1214, 1307, 1336, 1355 and 1401; passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

*Senate Bill No. 0460 -- Corporations -- Revises corporation law. Amends TCA, Title 48, Chs. 11--27, 51--68. by *Cohen.

*Senate Bill No. 0461 -- Railroads -- Removes requirement that railroad equipment sales contracts be registered with secretary of state. Amends TCA 65-10-111. by *Cohen.

*Senate Bill No. 0724 -- Fiduciaries -- Allows banks and trust companies to invest assets in certain investment companies or trusts with no conflict of interest. Amends TCA 35-3-117. by *Person.

*Senate Bill No. 0860 -- Police -- Prohibits on-duty political activity by law enforcement officer; prohibits restrictions on such activity when off-duty. Amends TCA, Title 38, Ch. 8, Pt. 3. by *Koella, *Crowe.

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***Senate Bill No. 1011** -- Contractors -- Revises criminal penalties for contracting without license. Amends TCA 62-6-119, 120. by *Dunavant.

***Senate Bill No. 1214** -- Radio and Television -- Provides immunity for boards of directors of public radio and television stations. Amends TCA 48-58-601. by *Burks.

Senate Bill No. 1307 -- Physicians and Surgeons -- Grants reciprocity to practice medicine to certain distinguished faculty members. Amends TCA 63-6-211. by *Henry.

***Senate Bill No. 1336** -- County Officers -- Permits adding employees of certain detention center under classified services. Amends TCA, Title 8, Ch. 8, Pt. 4. by *Greer.

***Senate Bill No. 1355** -- Education -- Directs state board of education to consider developing miniature diploma act. Amends TCA, Title 49. by *Burks.

***Senate Bill No. 1401** -- Development Districts -- Prohibits votes by proxy for members. Amends TCA 13-14-107. by *Montgomery.

**REPORT OF CHIEF ENGROSSING CLERK
April 11, 1991**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bill(s) No(s). 1276; for his action.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

**ENROLLED BILLS
April 11, 1991**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bill(s) No(s). 103, 479, 531, 618, 658, 1205, 1328, 1375, 1545, 1546, 1551, 1553, 1556, 1566 and 1569; House Resolution(s) No(s). 46, 47, 48 and 49; House Joint Resolution(s) No(s). 49, 187, 188, 189, 192, 193, 197, 198, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223 and 224; and find same correctly enrolled and ready for the signatures of the Speakers.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

ROLL CALL

The roll call was taken with the following results:

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Present 98

Representatives present were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 98.

On motion of Rep. Purcell, the House recessed until 5:00 p.m., Monday, April 15, 1991.